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K Cooper  
5/30/03

# UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Dianne Mueller, et al.  
Invention: A Time-Bake Cooking Cycle for a Refrigerated Oven  
Serial No. 09/977,757  
Date Filed: October 15, 2001  
Group Art Unit 3743  
Examiner: Ljiljana Ciric

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TECHNOLOGY CENTER R3700

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

This is in response to the outstanding Office Action dated May 6, 2003. The Examiner states that the application contains claims directed to following patentably distinct species: a method of operating a refrigerated oven to cook a food as described in paragraphs [0010] through [0016]; a method of operating a refrigerated oven to cook a food item as described in paragraphs [0017] through [0019]; and a time-bake cycle for a refrigerated oven used to cook food items therein as described in paragraphs [0020] through [0024]. The Examiner has indicated that a proper response requires Applicants to elect a single disclosed species for prosecution on the merits and to list all claims readable thereon.


Applicants believe that claims 1-18 are readable on the species directed to the method of operating a refrigerated oven to cook a food as described in paragraphs [0010] through [0016], that claims 19-26 are readable on the species directed to the method of operating a refrigerated oven to cook a food item as described in paragraphs [0017] through [0019] and that claims 27-37 are readable on the species directed to the time-bake cycle for a refrigerated oven used to cook food items therein as described in paragraphs [0020] through [0024].

Applicants hereby provisionally elect the species of claims 1-18 directed to the method of operating a refrigerated oven to cook a food as described in paragraphs [0010] through [0016], with traverse.

Respectfully submitted,

Dated: May 22, 2003

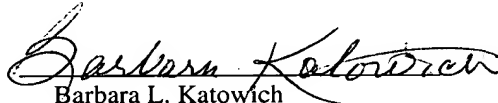
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**CERTIFICATE OF MAILING (37 CFR 1.8a)**

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Alexandria, VA 22313-1450.

Date: May 22, 2003

  
Barbara L. Katowich